

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA

BILLINGS DIVISION

FILED

FEB 29 2016

Clerk, U.S. District Court
District Of Montana
Billings

JONATHAN LEE RICHES,

Plaintiff,

vs.

VALENTINE'S DAY a/k/a
SAINT VALENTINE'S DAY,

Defendants.

CV 16-00017-BLG-SPW-CSO

RECOMMENDATION AND ORDER

Plaintiff Jonathan Lee Riches submitted a two-page document seeking an emergency motion for preliminary injunction and temporary restraining order against Valentine's Day. He alleges this day violates the First Amendment to the United States Constitution because it supports Christianity and is named after a Christian saint. *ECF 1*. He seeks a restraining order against the commercialization of Valentine's Day anywhere in America. He contends he is offended, humiliated, and suffering emotional distress. *ECF 1*.

There are several problems with Riches' filing. First, he submits neither the filing fee nor an application to proceed in forma pauperis.

See 28 U.S.C. § 1914(a)(requiring \$350.00 filing fee); 28 U.S.C. § 1915 (explaining proceedings in forma pauperis.)

Even if he had filed a motion to proceed in forma pauperis the Court would have denied it because Riches has abused the judicial process as set forth in the orders denying his motion to proceed in forma pauperis in *Riches v. Cam Newton*, Civil Action No. 11-cv-09-BLG-RFC-CSO, *ECF 3* and *Romano (a/k/a Riches) v. Kim Kardashian*, Civil Action No. 12-cv-109-M-DLC. He has thousands of actions, a multitude of which have been dismissed as frivolous, malicious, or for failing to state a claim upon which relief could be granted. *Id.* Therefore, he is barred from proceeding in forma pauperis unless he can show that he qualifies for the “imminent danger of serious physical injury” exception of 42 U.S.C. § 1915(g). Riches disagreement with the Valentine’s day holiday cannot possibly raise concerns of imminent danger of serious physical injury. In fact, the Complaint is just another in the series of unquestionably frivolous civil actions Riches has filed in federal courts across the nation.

Further, the allegations in this filing are ridiculous, frivolous and

clearly brought to abuse the judicial process.

Based on the foregoing, the Court **RECOMMENDS** that the following Order be issued by Judge Watters.

DATED this 29th day of February, 2016.



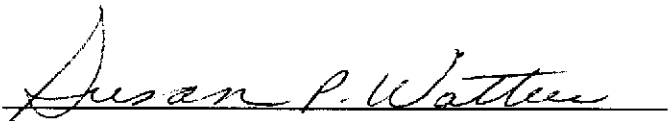
Carolyn S. Ostby
United States Magistrate Judge

Based upon the recommendation of Judge Ostby, the Court issues the following:

ORDER

1. The matter is **DISMISSED**. The Clerk of Court is directed to close the case and enter judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.
2. No motions for reconsideration or rehearing will be entertained and the Clerk of Court is directed to discard any such motions.

DATED this 29th day of February, 2016.



SUSAN P. WATTERS
United States District Judge